

**BEFORE THE STATE BOARD OF MEDIATION
STATE OF MISSOURI**

ST. LOUIS COUNTY POLICE OFFICERS')	
UNION, LOCAL NO. 844,)	
)	
Petitioner,)	
)	
vs.)	Public Case No. 77-027
)	
PUBLIC SAFETY COMMISSION, DEPARTMENT)	
OF PUBLIC SAFETY, CITY OF DES PERES,)	
)	
Respondent.)	

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND DECISION

FINDINGS OF FACT

1. This matter appears before the State Board of Mediation upon St. Louis County Police Officers' Association, Local 844, Petitioner herein, filing a Petition for Unit Determination and Majority Representative Status for a unit comprised of all Public Safety Officers employed by the Public Safety Commission of the City of Des Peres, Missouri, Respondent herein. The proposed unit consists of approximately thirty (30) employees.

2. The Respondent alleges that this Board lacks jurisdiction to hear and decide this matter for the reason that Public Safety Officers are police officers and, therefore, excluded from the jurisdiction of the Board pursuant to Section 105.510, RSMo. 1969.

3. On December, 12, 1977 a hearing was held in this matter in Clayton, Missouri at which time a quorum of the Board received the presentation of the parties in order to determine the aforementioned issues.

4. The evidence indicates that the Public Safety Officers serve in a threefold capacity as police officers, fire fighters, and rescue officers.

5. The parties have stipulated that all Public Safety Officers are police officers.

CONCLUSIONS OF LAW

1. Section 105.525 RSMo. 1969, states in pertinent part:

"Issues with respect to appropriateness of bargaining units and majority representative status shall be resolved by the state board of mediation."

Section 105.510 RSMo. 1969, states in pertinent part:

"Employees, except police, deputy sheriffs, Missouri state highway patrolmen, Missouri national guard, all teachers of all Missouri schools, colleges and universities, of any public body shall have the right to form and join labor organizations and to present proposals to any public body relative to salaries and other conditions of employment through the representative of their own choosing."

2. Inasmuch as the Public Safety Officers employed by the Respondent are police officers, their other duties notwithstanding, this Board lacks jurisdiction to hear and decide this case pursuant to Section 105.510 RSMo. 1969, supra.

DECISION

The Public Safety Officers of the Des Peres, Missouri, are police officers. Section 105.510 RSMo. 1969, expressly excludes police from the jurisdiction of the Board.

Therefore, the State Board of Mediation hereby dismisses this matter with prejudice.

Dated this 9th day of May, 1978.

MISSOURI STATE BOARD OF MEDIATION

(SEAL)

/s/ Michael Horn
Michael C. Horn, Chairman

/s/ Harry R. Scott
Harry R. Scott, Employer Member

/s/ Robert Missey
Robert Missey, Employee Member